



California Regional Water Quality Control Board

San Diego Region



Linda S. Adams
Secretary for
Environmental Protection

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Governor

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<http://www.waterboards.ca.gov/sandiego>

April 23, 2007

CERTIFIED – REGISTERED MAIL
7003 1680 0000 7397 7509

Mr. Tom H. Chapman
Vice Chairman
Lake Cuyamaca Recreation and Park District
15027 Highway 79
Julian, CA 92036

In reply refer to:
SCR: 07-0097.02:MMATA

Dear Mr. Chapman:

TENTATIVE ORDER NO. R9-2007-0067; AN ORDER RESCINDING ORDER NO. R9-2004-0015 WASTE DISCHARGE REQUIREMENTS FOR THE LAKE CUYAMACA RECREATION AND PARK DISTRICT, LAKE CUYAMACA PUBLIC RECREATION AREA, SOUTHEAST OF JULIAN, SAN DIEGO COUNTY

Enclosed is a copy of Tentative Order No. R9-2007-0067, which Regional Board staff intends to present to the Regional Board for adoption at their regularly scheduled meeting on May 9, 2007.

If adopted, tentative Order No. R9-2007-0046, would rescind Order No. R9-2004-0015 Waste Discharge Requirements for the Lake Cuyamaca Recreation and Park District, Lake Cuyamaca Public Recreation Area.

The rescission of this Order is contingent on the information submitted to this Regional Board, which indicate this facility meets the conditions of the waiver policy. The methodology used to determine compliance with nitrogen is consistent with the Water Quality Control Plan for the San Diego Region. Please be aware that changes to the parameters used in determining nitrogen compliance could be a violation of the California Water Code (CWC) Section 13350 and subject to civil liabilities. Changes that could be considered violations include, but are not limited to, the following:

1. A decrease in the amount of land available as a mixing zone,
2. An increase in flow to the septic tank of greater than 1,200 gallons per day (as a 12-month average),
3. Installation of RV hook-ups, or
4. Any change that could contribute to or cause a violation of any applicable water quality standard.

California Environmental Protection Agency

April 23, 2007

Administrative civil liability amounts imposed by the Regional Board under CWC Section 13350 could be up to \$5,000 per day per violation, or up to \$10 per gallon for each gallon of waste discharged.

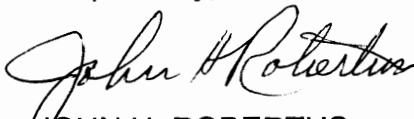
The May 9, 2007 meeting will begin promptly at 9:00 a.m. and will be held at the following location:

Regional Water Quality Control Board
Regional Board Meeting Room
9174 Sky Park Court, Suite 100
San Diego, CA 92123

Please review and comment on the revised tentative Order at your earliest convenience. It is recommended that written comments be submitted as soon as possible to enable staff to amend the tentative Order, if necessary, and allow changes to the tentative Order to be fully reviewed by the Regional Board and interested parties. To ensure that the Regional Board has the opportunity to fully study and consider written material, comments should be received in the Regional Board's office no later than 5:00 p.m. on Wednesday, April 25, 2007. The final deadline for submittal of written comments, however, is May 2, 2007. Per Regional Board direction, written material submitted to the Regional Board office after the submittal deadline date will not be provided to the Regional Board. Also, it is not likely that written material will be accepted by the Regional Board on the day of the meeting.

If you have any questions regarding the above, please contact Michelle Mata at (858) 467-2981, or via email at mmata@waterboards.ca.gov.

Respectfully,


JOHN H. ROBERTUS
Executive Officer

Enclosure: Tentative Order No. R9-2007-0067

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**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION
TENTATIVE
ORDER NO. R9-2007-0067**

**AN ORDER RESCINDING ORDER NO R9-2004-0015
WASTE DISCHARGE REQUIREMENTS
FOR THE
LAKE CUYAMACA RECREATION AND PARK DISTRICT
LAKE CUYAMACA PUBLIC RECREATION AREA
SOUTHEAST OF JULIAN
SAN DIEGO COUNTY**

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board), finds that:

1. On June 10, 2004 this Regional Board adopted Order No. R9-2004-0015 for Lake Cuyamaca Recreation and Parks District (District) establishing regulations for the treatment and disposal of sewage by means of a septic system and subsurface disposal leach field infiltration system. The disposal system was constructed on a 37.47-acre parcel and consists of an 8,000-gallon surge tank, an 8,000-gallon septic tank, and a subsurface disposal leach field infiltration system. The infiltration system consists of 5,571 feet of standard trench leach lines.
2. The wastewater treatment and disposal systems are located approximately 5 miles south of the town of Julian at the north end of Lake Cuyamaca, San Diego County. Lake Cuyamaca is a recreational lake that is also used as a municipal supply reservoir by the City of San Diego and Helix Water District. The treatment and disposal facilities are located in the upper half of the southwest portion of section 27 of Township 13 South, Range 4 East, San Bernardino Base Meridian.
3. Order No. R9-2004-0015 established Performance Goals on compliance monitoring wells downgradient of the leach field. Groundwater monitoring submitted by the discharger, prior to discharge, identified levels of iron, manganese, and nitrate which exceeded the Basin Plan Water Quality Objectives. As a result, this Regional Board did not allow the discharge to commence.
4. On March 23, 2007, the District submitted a Wastewater System Compliance Report and Nitrate Mixing Analysis, prepared by Kennedy/Jenks Consultants. The compliance plan identifies steps the District has taken to demonstrate that the disposal system now meets the conditions for waiver of waste discharge requirements pursuant to the Regional Board's waiver policy.
5. On September 11, 2002, pursuant to California Water Code Section 13269, this Regional Board conditionally waived adoption of waste discharge requirements for certain specific types of discharges. The waivers took effect on January 1, 2003 and expire on January 1, 2008. Waiver No. 2 of the Regional Board's Waiver of

Waste Discharge Requirements (Waiver Policy) is for conventional septic tank/subsurface disposal systems for commercial/industrial establishments and is applicable to the discharge from the District. This waiver is conditional on the following:

“Subject to the conditions set forth in the *Basin Plan, Chapter 4, (Implementation) section entitled Guidelines for New Community and Individual Sewerage Facilities*, and where systems are not constructed within the areas designated as Zone A as defined by the California Department of Health Services’ *Drinking Water Source Assessment and Protection Program*. This waiver applies until six months after the State Water Resources Control Board adopts statewide criteria for on-site disposal systems pursuant to AB 885.”

Waiver No. 4 of the Waiver Policy is for conventional septic tank/subsurface disposal systems for campgrounds and is also applicable to the discharge by the District. This waiver is conditional on the following:

“Where no facilities are provided which would enable recreational vehicles to connect with the campground sewerage system, and where systems are not constructed within areas designated as Zone A as defined by the California Department of Health Services’ *Drinking Water Source Assessment and Protection Program*.”

The following general conditions also apply to all discharges:

- a. “The discharge shall not create a nuisance as defined in the California Water Code; and,
 - b. The discharge shall not cause a violation of any applicable water quality standard; and,
 - c. The discharge of any substance in concentrations toxic to animal or plant life is prohibited.”
6. Chapter 4 of the Water Quality Control Plan for the San Diego Basin (Basin Plan) describes the actions that are necessary to protect the beneficial uses and to achieve the water quality objectives for groundwater and surface waters in the San Diego Region. In accordance with Chapter 4 (pp 4-23 through 4-28), the Regional Board will defer the authority to regulate discharges of domestic wastes from individual sewerage systems consisting of conventional septic tanks and leach fields for industrial or commercial projects with a design flow of more than 1,200 gallons per day (GPD) to the appropriate county health officer [in this case, the County of San Diego Department of Environmental Health (County DEH)]. The

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deferral applies if the project proponent demonstrates to the satisfaction of County DEH that the following conditions are met:

- a. The use of new individual subsurface disposal systems for any subdivision of land will be in the best public interest; and
 - b. Individual disposal systems will comply with all existing county design criteria, including but not limited to percolation testing, minimum required leachline length, leachline spacing, setback and slope requirements; and
 - c. Individual disposal systems will meet the minimum unsaturated soil thickness between the bottom of the leachlines or the bottom of seepage pits and the historic high groundwater level. The minimum unsaturated soil thickness is 9 ft for soils with good percolation rates [less than 15 minutes per inch (mpi)], or 12 ft for soils with moderate percolation rates (15 to 40 mpi), or 14 ft for soils with poor percolation rates (greater than 40 mpi). However, exceptions to unsaturated soil thickness criteria may be allowed by the appropriate county health officer, based on the knowledge of local site conditions; and
 - d. The cumulative impact from the proposed individual disposal system(s) or from new commercial and/or industrial development(s) will not cause adverse impacts to the beneficial uses of groundwater.
7. The discharger has submitted information that demonstrates that the discharge by the District meets the conditions of the Waiver Policy, specifically Waiver No. 2 and Waiver No. 4. In addition, by letter dated April 10, 2007, the County DEH acknowledged the discharger has demonstrated to the satisfaction of DEH that all of the conditions in the Basin Plan (specified above) have been met.
 8. The discharger has proposed to use the approach outlined in Guidelines for New Community and Individual Sewerage Facilities (Basin Plan, 4-24) to comply with the Basin Plan Objective for iron, manganese, and nitrate. The approach requires ample land area to provide sufficient mixing of septic tank effluent and recharge water provided by precipitation. To meet the land requirements, the District has developed a memorandum of understanding with the California State Parks, Colorado District (State Parks).

The memorandum identifies an area designated as a Septic System Limitation Zone. This area would be set aside for the operation of a single septic system serving the District and no additional septic system will be allowed within this area. The total area included in the limitation zone is 263-acres.
 9. The discharger has also reduced wastewater flows from an average of 2,540 GPD

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to 1,600 GPD. The discharger has proposed to further reduce flows to 1,200 GPD (as a 12-month average). The reduction in flow will be accomplished by implementing a water conservation plan and hauling wastewater flows to appropriate sewer systems to meet the annual flow limitation. Also, recreation vehicle holding wastes are no longer accepted.

10. The District has requested that the authority to regulate the subsurface disposal system at the Lake Cuyamaca Public Recreation Area be deferred to the County of San Diego Department of Environmental Health (DEH) in accordance with the Basin Plan and hence waive waste discharge requirements.
11. The waiver of waste discharge requirements is conditional and may be terminated at any time by the Regional Board for any specific discharge or any specific type of discharge.
12. The Regional Board has notified all known interested parties of its intent to rescind Order No. R9-2004-0015.
13. The Regional Board, in a public hearing, heard and considered all comments pertaining to the rescission of Order No 2004-0015.

IT IS HEREBY ORDERED THAT Order No R9-2004-0015 is rescinded.

I, John H. Robertus, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Board, San Diego Region, on May 9, 2007.

TENTATIVE

JOHN H. ROBERTUS
Executive Officer